



PATENT

Customer No. 22,852

Attorney Docket No. 05552.1452-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Harald ALTHAUS) Group Art Unit: 1644
)
Application No.: 10/612,162) Examiner: Phuong N. Huynh
)
Filed: July 3, 2003) Confirmation No. 4536
)
For: CARBOHYDRATE DEFICIENT)
TRANSFERRIN (CDT)-SPECIFIC)
ANTIBODIES, THEIR)
PREPARATION AND USE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

SUPPLEMENTAL MICROORGANISM DEPOSIT DECLARATION
UNDER 37 C.F.R. § 1.808(a)

We do hereby declare and say that:

1. Dade Behring Marburg GmbH is the assignee of the above-identified patent application.

2. On information and belief, the cell cultures 98-84/011 and 01-102/01, which produce monoclonal antibodies of the invention, were deposited with the DSMZ Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH on April 16, 2002, under Accession Numbers DSM ACC2540 and DSM ACC2541, .

PATENT
Application No.: 10/612,162
Customer No. 22,852
Attorney Docket No. 05552.1452

respectively, to assure availability of the cell culture to the public. The cell cultures and accession numbers correspond as follows:

| Cell Culture | Accession Number |
|--------------|------------------|
| 98-84/011 | DSM ACC2540 |
| 01-102/01 | DSM ACC2541 |

3. On information and belief, the DSMZ Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH (Mascheroder Weg 1b, 38124 Brunswick, Germany) has acquired the status of International Depository Authority within the meaning of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

4. Said culture has been deposited under conditions which ensure that access to the culture will be available during the pendency of this patent application to one determined by the Commissioner of Patents and Trademarks to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 1.22.

5. No later than issuance of a patent on this application, Dade Behring Marburg GmbH will irrevocably remove any restrictions as to public availability of this culture deposit except as permitted by 37 C.F.R. § 1.808(b), and will replace the culture deposit should it become nonviable, during the period that extends thirty years from the date of the deposit, or the period of the enforceable life of the patent, or the period of five years after the last public request for the deposit, whichever period is longest.

PATENT

Application No.: 10/612,162

Customer No. 22,852

Attorney Docket No. 05552.1452

6. We further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2006-11-29

Date:



Name: Dr. Thomas Bück

Title: IP Counsel

2006-12-05

Date:



Name: DI Harald Althaus

Title: R&D Senior Manager